

## Article - Family Law

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§5–3A–35.

(a) A court may enter an order for a child’s adoption under this subtitle only if:

- (1) the child placement agency consents; and
- (2) for a child who is at least 10 years old, the child consents.

(b) (1) (i) In this subsection, “disability” means:

1. a physical or mental impairment that substantially limits one or more of an individual’s major life activities;
2. a record of having a physical or mental impairment that substantially limits one or more of an individual’s major life activities; or
3. being regarded as having a physical or mental impairment that substantially limits one or more of an individual’s major life activities.

(ii) “Disability” shall be construed in accordance with the ADA Amendments Act of 2008, P.L. 110–325.

(2) A child placement agency may not withhold consent for the sole reason that:

- (i) the race, religion, color, or national origin of a prospective adoptive parent differs from that of the child or parent; or
- (ii) a prospective adoptive parent has a disability.

(c) Consent of a party to an adoption under this Part III of this subtitle is not valid unless:

- (1) the consent is given in a language that the party understands;
- (2) if given in a language other than English, the consent:
  - (i) is given before a judge on the record; or

(ii) is accompanied by the affidavit of a translator stating that the translation of the document of consent is accurate;

(3) the consent names the child;

(4) the consent contains enough information to identify the prospective adoptive parent; and

(5) the party has received written notice or on-the-record notice of:

(i) the revocation provisions in this section;

(ii) the search rights of adoptees and parents under § 5-3A-42 of this subtitle and the search rights of adoptees, parents, and siblings under Subtitle 4B of this title; and

(iii) the right to file a disclosure veto under § 5-3A-42 of this subtitle.

(d) (1) A child placement agency may revoke consent at any time within the later of:

(i) 14 days after the child placement agency signs the consent;

or

(ii) 14 days after the adoption petition is filed.

(2) A child who is at least 10 years old may revoke consent at any time before a court enters an order of adoption under this subtitle.

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